

COURT  
OF MASS.

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

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BIS ADVANCED SOFTWARE  
SYSTEMS, LTD.,

Plaintiff,

v.

RED BEND SOFTWARE, INC.,  
RED BEND SOFTWARE, LTD.,  
TIME WARNER INC., ICQ, INC.,  
INSTALLSHIELD SOFTWARE CORP.,  
and SCANSOFT, INC.

Defendants.

Civil Action No. 04-11960-RWZ

**JURY TRIAL DEMANDED**

**PLAINTIFF'S RULE 16.1(D)(3) CERTIFICATE**

The plaintiff BIS Advanced Software Systems, Ltd. ("BIS"), by and through its undersigned counsel and authorized representative, hereby certifies that BIS and its counsel have conferred:

- (a) with a view to establishing a budget for the costs of conducting the full course — and various alternative courses — of the litigation; and
- (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

Respectfully submitted,

**B.I.S.**  
*[Signature]*  
Advanced Software Systems Ltd.  
Doron Leave  
Chief Operating Officer  
BIS Advanced Software Systems, Ltd.

*[Signature]*  
Caitlin Lhommeau  
GREENBLUM & BERNSTEIN, P.L.C.  
1950 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191

Dated: January 20, 2005

I hereby certify that a true copy  
of the above document was  
served upon the attorney of  
record for each other party  
by mail/hand/facsimile on:  
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